

HONORABLE RICHARD A. JONES

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MUHAMMAD CHAUDHRY,

Plaintiff,

v.

UNITED STATES CITIZENSHIP AND  
IMMIGRATION SERVICES, *et al.*,

Defendants.

Case No. 2:19-cv-01097-RAJ

ORDER

**I. INTRODUCTION**

This matter is before the Court on Plaintiff's motions for sanctions. Dkt. # 10. For the reasons below, the motion is **DENIED**.

**II. BACKGROUND**

Plaintiff is a veteran and alleges that he has been a lawful permanent resident of the United States since April 2001. Dkt. # 1. He brings this action claiming that Defendants have unlawfully and unreasonably delayed adjudication of his applications in violation of the APA. On November 13, 2019, Plaintiff filed a motion for sanctions claiming that he did not receive a copy of Defendants' "Response to Plaintiff's FRCP 26(f) Conference and Defendants' Request for Extension," filed on August 19, 2019. Dkt. # 10.

**III. DISCUSSION**

The court has inherent power to sanction parties or their attorneys for improper conduct. *Chambers v. Nasco, Inc.*, 501 U.S. 32, 43-46 (1991); *Roadway Express, Inc. v.*

1 *Piper*, 447 U.S. 752, 766 (1980); *Fink v. Gomez*, 239 F.3d 989, 991 (9th Cir. 2001). The  
2 imposition of sanctions under the court’s inherent authority is discretionary. *Air*  
3 *Separation, Inc. v. Underwriters at Lloyd’s of London*, 45 F.3d 288, 291 (9th Cir. 1995).  
4 The court’s “inherent power ‘extends to a full range of litigation abuses.’ ” *Fink*, 239 F.3d  
5 at 992 (quoting *Chambers*, 501 U.S. at 46-47). However, in order to sanction a litigant  
6 under the court’s inherent powers, the court must make a specific finding of “bad faith or  
7 conduct tantamount to bad faith.” *Fink*, 239 F.3d at 994.

8 Plaintiff complains that Defendants failed to properly serve their initial disclosures  
9 and caused Plaintiff suffering in the amount of \$3,900. However, upon review of the  
10 record, the Court finds no semblance of bad faith in Defendants’ conduct. Defendants  
11 accepted Plaintiff’s representation that he did not receive the Response and resent him a  
12 copy August 28, 2019. The Court declines to impose sanctions and **DENIES** Plaintiff’s  
13 motion.

#### 14 IV. CONCLUSION

15 For the reasons stated above, the Court **DENIES** Plaintiff’s motion.

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17 DATED this 27th day of November, 2019.

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21 The Honorable Richard A. Jones  
22 United States District Judge  
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